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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/892,677	06/27/2001	Kent D. Cedola	50037.13US01	3958

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EXAMINER

AL HASHEMI, SANA A

ART UNIT	PAPER NUMBER
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2171

DATE MAILED: 05/21/2004

11

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/892,677

Applicant(s)

CEDOLA ET AL.

Examiner

Sana Al-Hashemi

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 May 2004.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-20 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Status: 1- 20 rejected.

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/2/2003 has been entered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-5, and 8-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Wu (US Patent No. 6,463,427).

1. Regarding Claims 1, 11, and 18, Wu discloses a method for replicating information (see Fig. 1, 3, and 4, Wu), comprising:

receiving a manifest of modification to a data store (see column 6, lines 33-36, Wu);

comparing the manifest of modification to a list of objects within a mobile data store (see column 6, lines 16-22, Wu); and

if a particular modification identified in the manifest is interpreted as being associated with a change event for an object not on the list of objects within the mobile data store, altering the manifest to reflect that the particular modification is associated with an add event for the object not on the list of objects. (this limitation will not be addressed by the examiner since the language that suggest or makes option but does not require steps to be performed or does not limit a claim to a particular structure does not limit the scope of the claim or claim limitation.)

2. Regarding Claim 2, Wu discloses a method further comprising passing the altered manifest including the add event to a mobile device on which resides the mobile data store (see column 7, lines 53-64, Wu).
3. Regarding Claim 3m Wu discloses a method wherein the altered manifest includes modifications that describe add events, change events, and delete events (see summary of the invention, column 2, lines 21-23, Wu).
4. Regarding Claims 4, and 8, Wu discloses a method wherein the add events, change events, and delete events describe actions to be performed on objects that reside in the mobile data store (see Fig. 5, 6, Wu).
5. Regarding Claim 5, Wu discloses a method wherein the manifest, prior to being altered, does not contain a modification that describes an add event, and wherein the altered manifest contains at least one modification that describes an add event (see column 8, lines 21-26, Wu).
6. Regarding Claim 9, Wu discloses a method wherein the request to synchronize comprising a search request for objects on the data store that have changed since a prior

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synchronization transaction between the data store and the mobile data store (see column 7, lines 27-36, Wu).

7. Regarding Claim 10, Wu discloses a method wherein the request to synchronize comprises a search request for objects on the data store that have been deleted since a prior synchronization transaction between the data store and the mobile data store (see column 10, lines 4-7, Wu).

8. Regarding Claim 12, Wu discloses a computer-readable medium further comprising including in the sync state table the object that was not in the sync state table (see column 8, lines 58-63, Wu).

9. Regarding Claim 13, Wu discloses a computer-readable medium further comprising passing the manifest with the altered record to the second data store (see column 7, lines 21-26, Wu).

10. Regarding Claim 14, Wu discloses a computer-readable medium further comprising passing the object that was not in the sync state table to the second data store (see column 8, lines 63-67, Wu).

11. Regarding Claim 15, Wu discloses a computer-readable medium wherein the first data store and the second data store each contain copies of the collection of data objects (see column 3, lines 8-15, Wu).

12. Regarding Claim 16, Wu discloses a computer-readable medium wherein the data objects comprise e-mail messages (see column 6, lines 45-48, Wu).

13. Regarding Claim 17, Wu discloses a computer-readable medium wherein the data objects comprise contact information objects (see column 6, lines 48-51, Wu).

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14. Regarding Claim 19, Wu discloses a computer-readable medium further comprising for any object identified in the manifest but which was not identified in the sync state table, associating an add event in the manifest with those objects (see column 6, lines 52-58, Wu).

15. Regarding Claim 20, Wu discloses a computer-readable medium further comprising passing the manifest including the associated add events to the second data store (see column 7, lines 27-32, Wu).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6, and 7, are rejected under 35 U.S.C. 103(a) as being unpatentable over Wu in view of the Peiya liu

Regarding Claims 6, and 7 Wu does not disclose the method of the manifest is created in accordance with a Document Authoring and Versioning (DAV) protocol. However, the Siemens Corporate research teaches the method of the DAV protocol used in manifest creation (see page 76-79, Peiya Liu), it would have been obvious to one of ordinary skill in the art at the time of the invention to use the DAV protocol to create and modify the document with the motivation of keeping all the synchronized data updated and categorized properly by creating new add events if needed.

Response to Arguments

Applicant argues “Wu does not disclose “altering the action associated with the corresponding object to an add event” or “including in the sync state table any objects identified in the manifest with an action other than a delete action””.

Examiner disagrees. Referring to column 6, lines 10-67, Wu teaches the method of allowing the creation and updating of databases for different types of object which in other words reads on altering action, since the system allow the user to create and update the databases.

Applicant argues Wu does not teach “passing the altered manifest including the add event to a mobile device on which resides the mobile data store.”

Examiner disagrees. Referring to column 7, lines 49-64, Wu teaches the step of passing the signature, which is a new event add to the document.

Applicant argues “add events...[that] describe action to be performed on objects that reside in the mobile data store” and Wu teaches synchronization of information stored in objects stores on a desktop computer and a mobile device.

Examiner response if the data has been stored on a desktop and mobile device, the limitation claimed has been met by the reference.

Applicant argues Wu does not teach the “if a particular modification identified in the manifest is interpreted as being associated with a change event for an object not on the list of objects within the mobile data store, altering the manifest to reflect that the particular modification is associated with an add event for the object not on the list of objects.”

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Examiner did not address this limitation, see the rejection above.

Points of Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to: Sana Al-Hashemi whose telephone number is. The examiner can normally be reached on Monday - Friday from 8:00 AM to 4:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached on (703) 308-1436. Any response to this office action should be mailed to: The Commissioner of Patents and Trademarks, Washington, D.C. 20231. Or telefax at phone number (703) 872-9306. For formal or draft communications, please label "PROPOSED" or "DRAFT". Hand-delivered response should be brought to: Crystal Park II, 2121 Crystal Drive, 6th Floor Receptionist, Arlington, Virginia. 22202.

Sana Al-Hashemi
Patent Examiner
Technology Center 2100
May 18, 2004


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